

COURT OF APPEALS OF MARYLAND

Willard H. Williams v. State of Maryland, 394 Md. 98

904 A.2d 534 (2006) · No. No. 121, September Term, 2004 · Decided August 3, 2006

SUMMARY

The Maryland Court of Appeals held that a defendant is entitled to a new trial when a juror fails to disclose information responsive to a voir dire question and the record does not establish whether the nondisclosure was intentional or inadvertent. The court concluded that the trial judge could not deny a new-trial motion based solely on the perceived remoteness of the juror's relationship without conducting further inquiry and making factual findings regarding bias. The court reversed and remanded for a new trial, declining to resolve the defendant's Brady and Maryland discovery-rule claims.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Court of Appeals of Maryland                                                                                                                                                                                                                                                                                                                                                                                     |
| WRITING FOR THE COURT | Bell, C.J.; Raker, J.; Wilner, J.; Cathell, J.; Harrell, J.; Battaglia, J.; Greene, J.                                                                                                                                                                                                                                                                                                                           |
| JURISDICTION          | Maryland                                                                                                                                                                                                                                                                                                                                                                                                         |
| DECIDED               | August 3, 2006                                                                                                                                                                                                                                                                                                                                                                                                   |
| DOCKET                | No. 121, September Term, 2004                                                                                                                                                                                                                                                                                                                                                                                    |
| DISPOSITION           | reversed_and_remanded                                                                                                                                                                                                                                                                                                                                                                                            |
| PROCEDURAL POSTURE    | After being convicted by a jury in the Circuit Court for Baltimore City, Williams moved for a new trial based on a juror's failure to disclose during voir dire that the juror's sister worked as a secretary in the prosecuting State's Attorney's Office. The trial court denied the motion. The Court of Appeals of Maryland granted certiorari while the appeal was pending in the Court of Special Appeals. |
| STANDARD OF REVIEW    | The opinion emphasizes that the trial court's discretion concerning a juror's nondisclosure must be based on an evidentiary inquiry and factual findings regarding the juror's state of mind and possible bias.                                                                                                                                                                                                  |
| PRECEDENTIAL VALUE    | published precedential opinion                                                                                                                                                                                                                                                                                                                                                                                   |
| PARTIES               | Willard H. Williams v. State of Maryland                                                                                                                                                                                                                                                                                                                                                                         |

TOPICS

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## PRACTICE AREAS

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## QUESTIONS PRESENTED

1. Whether a defendant is entitled to a new trial when a juror fails to disclose information specifically sought by a voir dire question and the record contains no finding whether the nondisclosure was intentional or inadvertent.
2. Whether the State's alleged failure to disclose impeachment information concerning a police officer violated Brady v. Maryland or Maryland Rule 4-263(g).

## HOLDINGS

1. When a juror fails to disclose information sought by a voir dire question and the record does not reveal whether the nondisclosure was intentional or inadvertent, the defendant is entitled to a new trial.
2. The court did not decide whether the State was required under Brady or Maryland Rule 4-263(g) to disclose information concerning the investigating officer's prior misconduct because reversal on the juror-nondisclosure issue made resolution unnecessary.

## KEY QUOTATIONS

*"We hold that, where there is a non-disclosure by a juror of information that a voir dire question seeks and the record does not reveal whether the non-disclosure was intentional or inadvertent, the defendant is entitled to a new trial."* (904 A.2d 543-44)

*"Therefore, if the guarantee of impartiality is to be meaningful, prospective jurors must be expected to answer the questions applicable to them, and to do so fully and truthfully."* (904 A.2d 542)

## FACTUAL BACKGROUND

Williams and Kevin Jones were charged with distribution of cocaine and related offenses and tried before a jury in Baltimore City. During voir dire, the court asked prospective jurors to disclose relationships involving law-enforcement agencies and prosecuting offices. Juror Ernestine Lane, who was later discovered to be the sister of a secretary in the State's Attorney's Office, did not disclose that relationship and served on the jury that convicted Williams. When the relationship was discovered after trial, the trial court denied Williams's new-trial motion without conducting further voir dire of Lane or determining why she failed to disclose the relationship.

## PROCEDURAL HISTORY

Williams and codefendant Kevin Jones were tried by a jury on cocaine-distribution and related charges and were convicted. After trial, the State disclosed that juror Ernestine Lane had a familial relationship with an employee of the Baltimore City State's Attorney's Office. The trial court denied the motion for a new trial without questioning the juror or making findings concerning whether the nondisclosure was intentional or inadvertent. The Court of Appeals reversed and remanded for a new trial.

## DISPOSITION

reversed\_and\_remanded

## REMAND INSTRUCTIONS

The case was remanded to the Circuit Court for Baltimore City for a new trial. The trial court was also directed to be guided by State v. Williams concerning the unresolved disclosure issues.

## CASES CITED

- Burkett v. State, 21 Md. App. 438, 319 A.2d 845 (1974)
- Leach v. State, 47 Md. App. 611, 425 A.2d 234 (1981)
- Dingle v. State, 361 Md. 1, 759 A.2d 819 (2000)
- State v. Williams, 392 Md. 194, 896 A.2d 973 (2006)
- Brady v. Maryland, 373 U.S. 83, 83 S. Ct. 1194, 10 L. Ed. 2d 215 (1963)
- McDonough Power Equipment, Inc. v. Greenwood, 464 U.S. 548, 78 L. Ed. 2d 663 (1984)
- State v. Thompson, 142 N.J. Super. 274, 361 A.2d 104 (App. Div. 1976)
- People v. Blackwell, 191 Cal. App. 3d 925, 236 Cal. Rptr. 803 (1987)
- Wainwright v. Witt, 469 U.S. 412, 83 L. Ed. 2d 841 (1985)

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